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10/529,416	03/30/2005	Harald Karl Gretsche	W1.1996 PCT-US	7919

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EXAMINER
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SHECHTMAN, SEAN P

ART UNIT	PAPER NUMBER
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2125

SHORTENED STATUTORY PERIOD OF RESPONSE	MAIL DATE	DELIVERY MODE
3 MONTHS	02/07/2007	PAPER

**Please find below and/or attached an Office communication concerning this application or proceeding.**

If NO period for reply is specified above, the maximum statutory period will apply and will expire 6 MONTHS from the mailing date of this communication.

<b>Office Action Summary</b>	<b>Application No.</b>	<b>Applicant(s)</b>	
	10/529,416	GRETSCH, HARALD KARL	
	<b>Examiner</b>	<b>Art Unit</b>	
	Sean P. Shechtman	2125	

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

#### Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) OR THIRTY (30) DAYS, WHICHEVER IS LONGER, FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

#### Status

- 1) ☒ Responsive to communication(s) filed on 01 December 2006.
- 2a) ☐ This action is **FINAL**.                      2b) ☒ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

#### Disposition of Claims

- 4) ☒ Claim(s) 50-98 is/are pending in the application.
- 4a) Of the above claim(s) 71-98 is/are withdrawn from consideration.
- 5) ☐ Claim(s) \_\_\_\_\_ is/are allowed.
- 6) ☒ Claim(s) 50-70 is/are rejected.
- 7) ☐ Claim(s) \_\_\_\_\_ is/are objected to.
- 8) ☐ Claim(s) \_\_\_\_\_ are subject to restriction and/or election requirement.

#### Application Papers

- 9) ☒ The specification is objected to by the Examiner.
- 10) ☒ The drawing(s) filed on 30 March 2005 is/are: a) ☐ accepted or b) ☒ objected to by the Examiner.  
Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).  
Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

#### Priority under 35 U.S.C. § 119

- 12) ☒ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☒ All    b) ☐ Some \*    c) ☐ None of:
1. ☒ Certified copies of the priority documents have been received.
2. ☐ Certified copies of the priority documents have been received in Application No. \_\_\_\_\_.
3. ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).
- \* See the attached detailed Office action for a list of the certified copies not received.

#### Attachment(s)

- |  |   |
|--|---|
| 1) <input checked="" type="checkbox"/> Notice of References Cited (PTO-892)            | 4) <input type="checkbox"/> Interview Summary (PTO-413)           |
| 2) <input type="checkbox"/> Notice of Draftsperson's Patent Drawing Review (PTO-948)   | Paper No(s)/Mail Date. _____                                      |
| 3) <input checked="" type="checkbox"/> Information Disclosure Statement(s) (PTO/SB/08) | 5) <input type="checkbox"/> Notice of Informal Patent Application |
| Paper No(s)/Mail Date <u>3/30/05</u> .   | 6) <input type="checkbox"/> Other: _____                          |

### **DETAILED ACTION**

1. Claims 50-70 are presented for examination. Claims 71-98 have been withdrawn from consideration. Claims 1-49 have been cancelled.

#### ***Election/Restrictions***

2. Applicant's election of claims 50-70 in the reply filed on December 1<sup>st</sup> 2006 is acknowledged. Because applicant did not distinctly and specifically point out the supposed errors in the restriction requirement, the election has been treated as an election without traverse (MPEP § 818.03(a)).

#### ***Priority***

3. Receipt is acknowledged of papers submitted under 35 U.S.C. 119(a)-(d), which papers have been placed of record in the file.

#### ***Drawings***

4. The drawings are objected to under 37 CFR 1.83(a). The drawings must show every feature of the invention specified in the claims. Therefore, the management level (See paragraph 20 of the instant specification, i.e., not specifically represented further computing and data processing units) must be shown or the feature(s) canceled from the claim(s). No new matter should be entered. Corrected drawing sheets in compliance with 37 CFR 1.121(d) are required in reply to the Office action to avoid abandonment of the application. Any amended replacement drawing sheet should include all of the figures appearing on the immediate prior version of the sheet, even if only one figure is being amended. The figure or figure number of an amended drawing should not be labeled as "amended." If a drawing figure is to be canceled, the appropriate figure must be removed from the replacement sheet, and where necessary, the

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remaining figures must be renumbered and appropriate changes made to the brief description of the several views of the drawings for consistency. Additional replacement sheets may be necessary to show the renumbering of the remaining figures. Each drawing sheet submitted after the filing date of an application must be labeled in the top margin as either "Replacement Sheet" or "New Sheet" pursuant to 37 CFR 1.121(d). If the changes are not accepted by the examiner, the applicant will be notified and informed of any required corrective action in the next Office action. The objection to the drawings will not be held in abeyance.

5. The drawings are objected to as failing to comply with 37 CFR 1.84(p)(4) because reference character "38" has been used to designate both a planning level and a coordination level (See, for example, claims 69 and 70). Corrected drawing sheets in compliance with 37 CFR 1.121(d) are required in reply to the Office action to avoid abandonment of the application. Any amended replacement drawing sheet should include all of the figures appearing on the immediate prior version of the sheet, even if only one figure is being amended. Each drawing sheet submitted after the filing date of an application must be labeled in the top margin as either "Replacement Sheet" or "New Sheet" pursuant to 37 CFR 1.121(d). If the changes are not accepted by the examiner, the applicant will be notified and informed of any required corrective action in the next Office action. The objection to the drawings will not be held in abeyance.

The use of reference characters in the claims is to be considered as having no effect on the scope of the claims (MPEP 608.01(m)).

### *Specification*

6. The amendment filed March 30<sup>th</sup>, 2005 is objected to under 35 U.S.C. 132(a) because it introduces new matter into the disclosure. 35 U.S.C. 132(a) states that no amendment shall

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introduce new matter into the disclosure of the invention. The added material which is not supported by the original disclosure is as follows: The description of prior art documents DE 199 47 139 A1 and DE 198 03 497 A1 on pages 3-4, paragraphs 7-8 of the instant specification.

Applicant is required to cancel the new matter in the reply to this Office Action.

***Claim Objections***

7. Claim 65 is objected to under 37 CFR 1.75(c), as being of improper dependent form for failing to further limit the subject matter of a previous claim. Applicant is required to cancel the claim(s), or amend the claim(s) to place the claim(s) in proper dependent form, or rewrite the claim(s) in independent form. Claim 65 is directed to a method characterized in that a strategy for supplying the processing machine with rolls developed in the control system. This does not constitute a further limitation since claim 65 depend on claim 50 and claim 50 recites the limitation of a method characterized in that a supply strategy for supplying the processing machine with rolls is developed in the control system.

***Claim Rejections - 35 USC § 112***

The following is a quotation of the second paragraph of 35 U.S.C. 112:

The specification shall conclude with one or more claims particularly pointing out and distinctly claiming the subject matter which the applicant regards as his invention.

8. Claims 50-70 are rejected under 35 U.S.C. 112, second paragraph, as being indefinite for failing to particularly point out and distinctly claim the subject matter which applicant regards as the invention.

Claims 50-70 are rejected as failing to define the invention in the manner required by 35 U.S.C. 112, second paragraph. The claim(s) are narrative in form and replete with indefinite and functional or operational language. The structure which goes to make up the device must be

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clearly and positively specified. The structure must be organized and correlated in such a manner as to present a complete operative device. The claim(s) must be in one sentence form only. Note the format of the claims in the patent(s) cited.

Referring to claim 50, lines 3-4 recite the limitation of “at least one embodied as a transport system”. Since the use of reference characters is to be considered as having no effect on the scope of the claims (MPEP 608.01(m)), it is not clear which element is intended to be referred to by the phrase “at least one”. For purposes of examination, it will be assumed that the “at least one” element is “at least one subsystem”.

Referring to claim 50, line 9 recites the limitation “said data”, however lines 6-8 recites the limitations of “actual production data”, “product-relevant planning data”, and “stock data”. Therefore the recitation of “said data” in the same or subsequent claim is unclear because it is uncertain which of the three sets of data was intended (MPEP 2173.05(e)). For purposes of examination, it will be assumed that “said data” is “said actual production data”.

Claim 50 recites the limitation "the contents of the storage facility" in line 11. There is insufficient antecedent basis for this limitation in the claim. The term content is interpreted as something contained. The examiner respectfully submits that since the claim does not require the storage facility to store anything and nothing in the claim prevents the storage facility from being empty, nothing is inherently contained in the storage facility (MPEP 2173.05(e)). For purposes of examination, it will be assumed that “the contents of the storage facility” is “content of the storage facility”.

Claims 51-70 inherit the deficiencies of claim 50, therefore claims 51-70 are also rejected for the same reasons and the same assumptions will be made.

Referring to claim 54, line 2 recites the limitation “said at least one subsystem”, however claim 54 depends on claim 50 and claim 50 recites the limitations of “at least one subsystem embodied as a storage facility and at least one subsystem embodied as a transport system”. Therefore the recitation of “said at least one subsystem” in the subsequent claim is unclear because it is uncertain which of the two subsystems was intended (MPEP 2173.05(e)). For purposes of examination it will be assumed that “said at least one subsystem” is “said at least one subsystem embodied as a transport system”. The use of reference characters is to be considered as having no effect on the scope of the claims (MPEP 608.01(m)).

Referring to claim 54, line 3 recites the limitation of “the transmitted data”, however claim 54 depends on claim 50 and claim 50 recites the limitations of “actual production data from the processing machine ...transmitted” and “production-relevant planning data regarding pending productions from a product planning system...transmitted”. Therefore the recitation of “the transmitted data” in the subsequent claim is unclear because it is uncertain which of the two sets of transmitted data was intended (MPEP 2173.05(e)). For purposes of examination, it will be assumed that “the transmitted data” is “the transmitted actual production data”.

Claim 55 recites the limitation "the communication of the control system with the subsystem" in lines 3-4. There is insufficient antecedent basis for this limitation in the claim. For purposes of examination, it will be assumed that “the communication of the control system with the subsystem” is “communication of the control system with the subsystem”.

Referring to claim 55, line 4 recites the limitation “the subsystem”, however claim 55 depends on claim 50 and claim 50 recites the limitations of “at least one subsystem embodied as a storage facility and at least one subsystem embodied as a transport system”. Therefore the

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recitation of "the subsystem" in the subsequent claim is unclear because it is uncertain which of the two subsystems was intended (MPEP 2173.05(e)). For purposes of examination it will be assumed that "the subsystem" is "said at least one subsystem embodied as a transport system". The use of reference characters is to be considered as having no effect on the scope of the claims (MPEP 608.01(m)).

Claim 57 recites the limitation "the identification of the production" in line 2. There is insufficient antecedent basis for this limitation in the claim. For purposes of examination, it will be assumed that "the identification of the production" is "an identification of the production".

Claim 57 recites the limitation "the circumference" in line 2. There is insufficient antecedent basis for this limitation in the claim. For purposes of examination, it will be assumed that "the circumference" is "a circumference".

Claim 57 recites the limitation "the time window" in line 2. There is insufficient antecedent basis for this limitation in the claim. For purposes of examination, it will be assumed that "the time window" is "a time window".

Claim 57 recites the limitation "the locations of use of the planned production" in line 3. There is insufficient antecedent basis for this limitation in the claim. For purposes of examination, it will be assumed that "the locations of use of the planned production" is "locations of use of the planned production".

Claim 58 recites the limitation "the running production" in line 2. There is insufficient antecedent basis for this limitation in the claim. For purposes of examination, it will be assumed that "the running production" is "running production".

Claim 59 recites the limitation "the identification of the running production" in line 2. There is insufficient antecedent basis for this limitation in the claim. For purposes of examination, it will be assumed that "the identification of the running production" is "an identification of the running production".

Claim 59 recites the limitation "the assignment of the production" in lines 2-3. There is insufficient antecedent basis for this limitation in the claim. For purposes of examination, it will be assumed that "the assignment of the production" is "an assignment of the production".

Claim 57 recites the limitation of "the production" in line 2, however claim 57 depends on claims 56 and 50, wherein claim 56 recites the limitation of "a planned production" and claim 50 recites the limitation of "pending productions". Therefore the recitation of "the production" in the subsequent claim is unclear because it is uncertain which of the productions was intended (MPEP 2173.05(e)). For purposes of examination it will be assumed that "the production" is "the planned production".

Claim 59 recites the limitation of "the production" in line 3, however claim 59 depends on claims 58 and 50, wherein claim 58 recites the limitation of "running production" and claim 50 recites the limitation of "pending productions". Therefore the recitation of "the production" in the subsequent claim is unclear because it is uncertain which of the productions was intended (MPEP 2173.05(e)). For purposes of examination it will be assumed that "the production" is "the planned production".

Claim 61 recites the limitation "the signal connection to the management level or to the product planning system " in lines 2-3. There is insufficient antecedent basis for this limitation in the claim. For purposes of examination, it will be assumed that "the signal connection to the

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management level or to the product planning system” is “a signal connection to the management level or to the product planning system”.

Claim 61 recites the limitation "the management level" in line 3. There is insufficient antecedent basis for this limitation in the claim. For purposes of examination, it will be assumed that “the management level” is “a management level”.

Claim 62 recites the limitation "the management level signal connection" in lines 3-4. There is insufficient antecedent basis for this limitation in the claim. For purposes of examination, it will be assumed that “the management level signal connection” is “a management level signal connection”.

Claim 62 recites the limitation "the management level" in lines 4-5. There is insufficient antecedent basis for this limitation in the claim. For purposes of examination, it will be assumed that “the management level” is “a management level”.

Claim 66 recites the limitation "the lower-order systems" in line 2. There is insufficient antecedent basis for this limitation in the claim. For purposes of examination, it will be assumed that “the lower-order systems” are “the subsystems”. The use of reference characters is to be considered as having no effect on the scope of the claims (MPEP 608.01(m)).

Claim 67 recites the limitation "the lower-order systems" in line 2. There is insufficient antecedent basis for this limitation in the claim. For purposes of examination, it will be assumed that “the lower-order systems” are “the subsystems”. The use of reference characters is to be considered as having no effect on the scope of the claims (MPEP 608.01(m)).

Claim 68 recites the limitation "the lower-order systems" in lines 2-3. There is insufficient antecedent basis for this limitation in the claim. For purposes of examination, it will

be assumed that “the lower-order systems” are “the subsystems”. The use of reference characters is to be considered as having no effect on the scope of the claims (MPEP 608.01(m)).

Claim 68 recites the limitation " the movement control " in line 2. There is insufficient antecedent basis for this limitation in the claim. For purposes of examination, it will be assumed that “the movement control” is “movement control”.

Claim 68 recites the limitation " the storage space management " in line 2. There is insufficient antecedent basis for this limitation in the claim. For purposes of examination, it will be assumed that “the storage space management” is “storage space management”.

Claim 69 recites the limitation "the consumption calculation" in lines 1-2. There is insufficient antecedent basis for this limitation in the claim. For purposes of examination, it will be assumed that “the consumption calculation” is “a consumption calculation”.

Claim 69 recites the limitation "the stock monitoring" in line 2. There is insufficient antecedent basis for this limitation in the claim. For purposes of examination, it will be assumed that “the stock monitoring” is “a stock monitoring”.

Claim 70 recites the limitation " the issuing of transport orders" in line 2. There is insufficient antecedent basis for this limitation in the claim. For purposes of examination, it will be assumed that “the issuing of transport orders” is “an issuing of transport orders”.

Claim 70 recites the limitation " the movement control of the roll " in line 2. There is insufficient antecedent basis for this limitation in the claim. For purposes of examination, it will be assumed that “the movement control of the roll” is “movement control of the roll”.

Claim 70 recites the limitation " the storage space management " in line 2. There is insufficient antecedent basis for this limitation in the claim. For purposes of examination, it will be assumed that "the storage space management" is "storage space management".

***Claim Rejections - 35 USC § 102***

The following is a quotation of the appropriate paragraphs of 35 U.S.C. 102 that form the basis for the rejections under this section made in this Office action:

A person shall be entitled to a patent unless –

(b) the invention was patented or described in a printed publication in this or a foreign country or in public use or on sale in this country, more than one year prior to the date of application for patent in the United States.

9. Claims 50-54, 56-58, 64-66, 68 are rejected under 35 U.S.C. 102(b) as being anticipated by U.S. Pat. No. 4,803,634 to Ohno et al (hereinafter referred to as Ohno).

Referring to claim 50, Ohno teaches a method for supplying rolls to a processing machine (Col. 26, line 25, "the supply of newsprint rolls to the press") by means of a roll supply system (Figs. 28, 29A and 29B), having at least one subsystem embodied as a storage facility (Fig. 29A, element 26) and at least one subsystem embodied as a transport system (Fig. 29A, element 3114, transport conveyor described in Col. 27, lines 3-14, and any element of Figs. 29A and 29B that transports newsprint rolls), wherein the transport system is controlled by a control system (Fig. 28, the examiner respectfully submits that the combination of elements 3100 and 3101 can be interpreted as a control system; Col. 26, lines 28-33, element 3101 controls the transport of newsprint rolls to the newsprint roll preparation floor 26 from the warehouse 27 in accordance with instructions from element 3100),

characterized in that actual production data from the processing machine (Fig. 28, element 3105, signal on success or failure of pasting; Fig. 29B, element 3105 is the feeding unit

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control device of the feeding unit; Col. 12, lines 1-2, element 21 is the feeding unit of the press) and production-relevant planning data regarding pending productions from a product planning system (Fig. 28, element 3104; Col. 26, lines 48-59, for example, the total number of copies to be printed on the current day) are transmitted to the control system (Fig. 28, the combination of elements 3100 and 3101) which receives stock data regarding the storage facility (Fig. 28, element 3102, quantity of newsprint rolls on standby by size), and by use of at least said actual production data, a supply strategy for supplying the processing machine (Fig. 29B, element 21; Col. 12, lines 1-2, feeding unit of press machine) with rolls is developed in the control system (Col. 26, lines 22-27, element 3100 controls the supply of newsprint rolls to the press in accordance with the results of the pasting processing from element 3105, element 3105 is the feeding unit control device of the feeding unit 21, element 21 is the feeding unit of the press, Col. 12, lines 1-2) and the control system monitors and manages content of the storage facility (Fig. 28, element 3102, quantity of newsprint rolls on standby by size; Col. 26, lines 30-33, controls the transport of newsprint rolls to element 26).

Referring to claim 51, Ohno teaches the method in accordance with claim 50, characterized in that the data transmission takes place via at least one fixed signal connection between a management level of the processing machine and the control system (Fig. 1, elements 18 and 13 is a fixed signal connection between the feeding unit control device 3105 of the press control system and elements 3100 and 3101 of newsprint roll storage control subsystem; Col. 4, lines 18-26).

Referring to claim 52, Ohno teaches the method in accordance with claim 50, characterized in that the data transmission takes place via at least one fixed signal connection

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between the product planning system and the control system (Fig. 1, elements 18 and 13 is a fixed signal connection between the host CPU 3104 of the production process control computer and elements 3100 and 3101 of newsprint roll storage control subsystem; Col. 4, lines 18-26).

Referring to claim 53, Ohno teaches the method in accordance with claim 50, characterized in that the data transmission takes place via a network (Fig. 1, elements 18 and 13; Col. 4, lines 18-26).

Referring to claim 54, Ohno teaches the method in accordance with claim 50, characterized in that the control system controls said at least one subsystem embodied as a transport system on the basis of the transmitted actual production data (Col. 26, lines 22-27, element 3100 controls the supply of newsprint rolls to the press in accordance with the results of the pasting processing from element 3105).

Referring to claim 56, Ohno teaches the method in accordance with claim 50, characterized in that information regarding a planned production is transmitted as production-relevant data (Fig. 28, element 3104; Col. 26, lines 48-59, for example, the total number of copies to be printed on the current day).

Referring to claim 57, Ohno teaches the method in accordance with claim 56, characterized in that information regarding a time window is transmitted (Fig. 28, element 3104; Col. 26, lines 48-59, for example, the total number of copies to be printed on the current day).

Referring to claim 58, Ohno teaches the method in accordance with claim 50, characterized in that information regarding an actual status of running production is transmitted as production-relevant data (Fig. 28, element 3105, signal on success or failure of pasting; Fig.

29B, element 3105 is the feeding unit control device of the feeding unit; Col. 12, lines 1-2, element 21 is the feeding unit of the press).

Referring to claim 64, Ohno teaches the method in accordance with claim 50, characterized in that a monitoring of stored stock of rolls takes place in the control system (Fig. 28, element 3102, quantity of newsprint rolls on standby by size).

Referring to claim 65, Ohno teaches the method in accordance with claim 50, characterized in that a strategy for supplying the processing machine with rolls is developed in the control system (Col. 26, lines 22-27, element 3100 controls the supply of newsprint rolls to the press in accordance with the results of the pasting processing from element 3105, element 3105 is the feeding unit control device of the feeding unit 21, element 21 is the feeding unit of the press, Col. 12, lines 1-2).

Referring to claim 66, Ohno teaches the method in accordance with claim 50, characterized in that a flow control of the subsystems takes place in the control system (Col. 26, lines 22-27, element 3100 controls the supply of newsprint rolls to the press in accordance with the results of the pasting processing from element 3105).

Referring to claim 68, Ohno teaches the method in accordance with claim 50, characterized in that the control system assumes movement control (Col. 26, lines 22-27, element 3100 controls the supply of newsprint rolls to the press in accordance with the results of the pasting processing from element 3105) and storage space management of subsystems (Fig. 28, element 3102, quantity of newsprint rolls on standby by size; Col. 26, lines 30-33, controls the transport of newsprint rolls to element 26).

The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:

(a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negated by the manner in which the invention was made.

10. Claims 55, 67, 70 are rejected under 35 U.S.C. 103(a) as being unpatentable over Ohno as applied to claims 50-54, 56-58, 64-66, 68 above, and further in view of U.S. Pat. No. 6,950,722 to Mountz (hereinafter referred to as Mountz).

Referring to claim 55, Ohno teaches the method above, characterized in that the transmission of the data from the processing machine and the product planning system to the control system, takes place via a common network (Fig. 1, elements 18 and 13; Col. 4, lines 18-26).

Referring to claim 70, Ohno teaches the method above, characterized in that the flow control (Col. 26, lines 22-27, element 3100 controls the supply of newsprint rolls to the press in accordance with the results of the pasting processing from element 3105), and movement control of the roll (Col. 26, lines 28-33, element 3101 controls the transport of newsprint rolls to the newsprint roll preparation floor 26 from the warehouse 27 in accordance with instructions from element 3100) and storage space management takes place (Fig. 28, element 3102, quantity of newsprint rolls on standby by size; Col. 26, lines 30-33, controls the transport of newsprint rolls to element 26) on a coordination level of the control system (Fig. 28, the combination of elements 3100 and 3101; see also page 25, paragraph 45 of the instant specification).

Referring to claim 55, Ohno teaches all of the limitations set forth above however, fails to teach that communication of the control system with said at least one subsystem embodied as a transport system takes place via a common network.

Referring to claim 67, Ohno teaches all of the limitations set forth above however, fails to teach that the control system addresses transport orders to the subsystems.

Referring to claim 70, Ohno teaches all of the limitations set forth above however, fails to teach that an issuing of transport orders takes place on a coordination level of the control system.

Referring to claim 55, Mountz teaches that communication of a control system with at least one subsystem embodied as a transport system takes place via a common network (Col. 5, lines 22-28; Col. 5, lines 51-56).

Referring to claim 67, Mountz teaches the control system addresses transport orders to subsystems (Col. 6, lines 56-60).

Referring to claim 70, Mountz teaches an issuing of transport orders takes place on a coordination level of the control system (Col. 6, lines 56-60; see also page 25, paragraph 45 of the instant specification).

Ohno and Mountz are analogous art because they are from the same field of endeavor, material handling systems in factories.

Therefore, it would have been obvious to one of ordinary skill in the art at the time that the invention was made to modify Ohno with the transport ordering and communication system of Mountz.

One of ordinary skill in the art would have been motivated to modify Ohno with the transport ordering and communication system of Mountz, because Mountz teaches that, since the mobile inventory trays may communicate with each other and with the material handling system via radio frequency technology, this provides the advantage that the mobile inventory trays may be directed to various check-in stations and/or pack stations to process orders requested by the MHS while at the same time allowing the mobile inventory trays to navigate the factory floor autonomously using information obtained from the on-board GPS and RF communication systems without any guidance assistance from a remote central computer (Col. 5, lines 4-31; Col. 3, lines 1-14).

11. Claims 59, 63, 69 are rejected under 35 U.S.C. 103(a) as being unpatentable over Ohno as applied to claims 50-54, 56-58, 64-66, 68 above, and further in view of U.S. Pat. No. 6,591,153 to Crampton et al (hereinafter referred to as Crampton).

Referring to claim 69, Ohno teaches the method above, characterized in that a stock monitoring (Fig. 28, element 3102, quantity of newsprint rolls on standby by size) and the development of the supply strategy takes place on a planning level of the control system (Col. 26, lines 22-27, element 3100 controls the supply of newsprint rolls to the press in accordance with the results of the pasting processing from element 3105, element 3105 is the feeding unit control device of the feeding unit 21, element 21 is the feeding unit of the press, Col. 12, lines 1-2; see also page 25, paragraph 45 of the instant specification).

Referring to claim 59, Ohno teaches all of the limitations set forth above however, fails to teach that information is transmitted regarding an identification of the running production, as well as to an assignment of the planned production to section.

Referring to claim 69, Ohno teaches all of the limitations set forth above however, fails to teach that a consumption calculation takes place on a planning level of the control system.

Referring to claim 63 Ohno teaches all of the limitations set forth above however, fails to teach that a consumption calculation takes place in the control system on the basis of production-relevant data.

Referring to claim 59, Crampton teaches that information is transmitted regarding an identification of running production (Col. 16, lines 22-64, WIP), as well as to an assignment of planned production to sections (Col. 17, lines 13-19).

Referring to claim 63 and 69, Crampton teaches that a consumption calculation takes place on a planning level of a control system on the basis of production-relevant data (Col. 16, lines 59-64; see also page 25, paragraph 45 of the instant specification).

Ohno and Crampton are analogous art because they are from the same field of endeavor, production control systems.

Therefore, it would have been obvious to one of ordinary skill in the art at the time that the invention was made to modify Ohno with the control strategy of Crampton.

One of ordinary skill in the art would have been motivated to modify Ohno with the control strategy of Crampton, because Crampton teaches that by monitoring for and identifying excess work-in-process, and identifying and scheduling stored orders that consumes the excess

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work-in-process, the excess work-in-process may be eliminated. Furthermore, Crampton teaches block scheduling such that users can reserve capacity of selected resources to particular product family during specified time intervals, and the activities or assignments scheduled during the reserved time interval will be in a particular order, thereby helping to schedule orders in a way, which results in a more efficient and/or cost effective manner (Col. 3, lines 39-53; Col. 17, lines 4-12).

12. Claims 60-62 are rejected under 35 U.S.C. 103(a) as being unpatentable over Ohno as applied to claims 50-54, 56-58, 64-66, 68 above, and further in view of U.S. Pat. No. 5,441,214 to Kushihashi et al (hereinafter referred to as Kushihashi).

Referring to claim 61, Ohno teaches the method above, characterized in that the transmission of the production-relevant data takes place via a signal connection to the product planning system (Fig. 1, elements 18 and 13; Col. 4, lines 18-26; Fig. 28, element 3104; Col. 26, lines 48-59, for example, the total number of copies to be printed on the current day); and the transmission of transport-relevant data takes place via a signal connection (Fig. 1, elements 18 and 13; Col. 4, lines 18-26; Col. 26, lines 22-27, element 3100 controls the supply of newsprint rolls to the press in accordance with the results of the pasting processing from element 3105).

Referring to claim 62, Ohno teaches the method above, characterized in that the transmission of the production-relevant data (Fig. 1, elements 18 and 13; Col. 4, lines 18-26; Fig. 28, element 3104; Col. 26, lines 48-59, for example, the total number of copies to be printed on the current day), as well as the transmission of transport-relevant data (Fig. 1, elements 18 and 13; Col. 4, lines 18-26; Col. 26, lines 22-27, element 3100 controls the supply of newsprint rolls

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to the press in accordance with the results of the pasting processing from element 3105) takes place via a management level signal connection between the control system and a management level (Fig. 1, elements 18 and 13; Col. 4, lines 18-26).

Referring to claim 60, Ohno teaches all of the limitations set forth above, however, fails to teach that a transmission of data relating to the status of a roll changer takes place via at least one fixed signal connection between the control system and a control device of the roll changer.

Referring to claim 60, Kushihashi teaches a method characterized in that a transmission of data relating to the status of a roll changer (Col. 6, lines 28-32, start signal) takes place via at least one fixed signal connection between a control system (Col. 6, lines 28-32, controller) and a control device of the roll changer (Col. 6, lines 28-32, supply section; Col. 6, lines 58-60; Col. 3, lines 12-13).

Ohno and Kushihashi are analogous art because they are from the same field of endeavor, roll handling and processing systems.

Therefore, it would have been obvious to one of ordinary skill in the art at the time that the invention was made to modify Ohno with the signal connection between the control system and a control device of a roll changer, as taught by Kushihashi.

One of ordinary skill in the art would have been motivated to modify Ohno with the Kushihashi, because Kushihashi teaches the changer can change rolls automatically (Col. 3, lines 31-32). Furthermore, Kushihashi teaches that during automatic changing operation for the web roll, the forming machine goes on being supplied with the paper web stored in the reservoir box, and therefore its operation can be continued without interruption (Col. 7, lines 3-6).

*Conclusion*

13. Any inquiry concerning this communication or earlier communications from the examiner should be directed to Sean P. Shechtman whose telephone number is (571) 272-3754. The examiner can normally be reached on 9:30am-6:00pm, M-F.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Leo P. Picard can be reached on (571) 272-3749. The fax phone number for the organization where this application or proceeding is assigned is 571-273-8300.

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SPS

Sean P. Shechtman



February 3, 2007

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